

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION
13th Legislative Day
Tuesday, February 24, 2015

The House met according to adjournment and was called to order by the Speaker.

Prayer by Doctor Alan L. Andraeas, Rector, Holy Trinity Chapel at St. Brendon's Church (ACNA), Dennysville.

National Anthem by Honorable Matthea Elisabeth Larsen Daughtry, Brunswick.

Pledge of Allegiance.

Doctor of the day, James Hildebrand, M.D., Orono.

At this point, a message came from the Senate borne by Senator COLLINS, of York, of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of extending to the Honorable Leigh I. Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, an invitation to attend the Joint Convention and to make such communication as pleases the Chief Justice.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:45 in the morning and the Speaker appointed Representative McCABE of Skowhegan to convey this message to the Senate.

The Journal of Thursday, February 12, 2015 was read and approved.

SENATE PAPERS
Non-Concurrent Matter

Bill "An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose"
(H.P. 181) (L.D. 263)

REFERRED to the Committee on **JUDICIARY** in the House on February 5, 2015.

Came from the Senate **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.

On motion of Representative GIDEON of Freeport, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 60)

STATE OF MAINE
SUPREME JUDICIAL COURT
CUMBERLAND COUNTY COURTHOUSE
205 NEWBURY STREET, ROOM 139
PORTLAND, MAINE 04101-4125

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

I am pleased to accept your invitation to address a Joint Session of the 127th Maine Legislature on Tuesday, February 24, 2015, at 11:00 a.m. I appreciate the courtesy of the Legislative Branch of government in inviting me to address the cause of justice in Maine.

I look forward to seeing you on February 24, 2015.

Sincerely,

S/Leigh I. Saufley

Chief Justice

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 61)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

February 10, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 22, Chapter 1058, §3883 of the Maine Revised Statutes, I have reappointed Representative Drew M. Gattine of Westbrook to the Board of Maine Children's Trust Incorporated, effective immediately.

If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 62)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

February 10, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 20-A, MRSA, Chapter 426, §12304, I am pleased to appoint the following individuals to the Advisory Committee on Dental Education:

Representative Anne-Marie Mastraccio of Sanford

Dr. Demitroula Kouzounas of Saco

Rita Fournier of Lewiston

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 63)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

February 12, 2015
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 3, MRSA, Chapter 10, §227, I have reappointed the following individuals to the Maine-Canadian Legislative Advisory Commission:
Representative Kenneth Wade Fredette of Newport
Representative Mark N. Dion of Portland

Tim Walton of Fayette

If you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 64)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

February 17, 2015
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 1, MRSA, Chapter 13, §411(2)(B), I am pleased to appoint the following individuals to the Right to Know Advisory Committee:

Representative Kimberly J. Monaghan of Cape Elizabeth

Honorable Helen Rankin of Hiram

If you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 65)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

February 17, 2015
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 5, MRSA, Chapter 501, §19202, I have appointed Representative Christine S. Burstein of Lincolnville to the Maine HIV Advisory Committee.

If you have any questions regarding this appointment, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 70)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

February 20, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 5, MRSA, Chapter 319, §3371, I am pleased to appoint the following members to the Maine Fire Protection Services Commission:

Representative Michel A. Lajoie of Lewiston

Representative Lori Fowle of Vassalboro

Representative Timothy S. Theriault of China

If you have any questions regarding these appointments, please do not hesitate to contact me.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 66)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

February 23, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the Committee on Education and Cultural Affairs has approved the request by the sponsor, Representative Chipman of Portland, to report the following "Leave to Withdraw":

L.D. 151

An Act To Protect Public Health in the Maine Community College System

Sincerely,

S/Robert B. Hunt

Clerk of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 67)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

February 24, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Education and Cultural Affairs

L.D. 65 An Act To Apply Equally a Curtailment or Other Loss in General Purpose Aid to Education

Taxation

L.D. 29 An Act To Establish a Local Option Real Estate Transfer Tax

Veterans and Legal Affairs

L.D. 15 An Act To Increase Transparency in Campaign Funding in Legislative Elections

The sponsors and cosponsors have been notified of the Committee's action.

Sincerely,

S/Robert B. Hunt

Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 68)

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002**

February 24, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to his authority, Governor Paul R. LePage has nominated the following:

On February 20, 2015

Brian Whitney of Augusta for appointment as the Maine Technology Institute Director.

Pursuant to Title 5, MRSA §15310, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Mark W. Eves

Speaker of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 71)

**TOWN OF SCARBOROUGH, MAINE
US ROUTE ONE, PO BOX 360
SCARBOROUGH, MAINE 04070-0360**

February 18, 2015

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

At the Scarborough Town Council meeting held on Wednesday, February 18, 2015, the Town Council unanimously voted in support of Resolution 15-001 urging the Maine State Legislature to craft a Biennial State Budget that prevents a significant increase in property taxes.

Enclosed please find Resolution 15-001, signed by the Chairman of the Scarborough Town Council and attested by the Town Clerk. This Resolution is respectfully being submitted to the Maine House on behalf of the Scarborough Town Council, the Town Manager and most importantly, the residents of the Town of Scarborough.

Sincerely,

S/Yolande P. Justice

Town Clerk

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 75)

**MAINE SENATE
127TH LEGISLATURE
OFFICE OF THE SECRETARY**

February 12, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Eves:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 127th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Criminal Justice and Public Safety, the nomination of Dr. Joseph R. Fitzpatrick of North Yarmouth for appointment as the Commissioner of the Department of Corrections.

Best Regards,

S/Heather J.R. Priest

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

Subsequently, Representative McCABE of Skowhegan reported that he had delivered the message with which he was charged.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

AGRICULTURE, CONSERVATION AND FORESTRY

Bill "An Act To Include Nonalcoholic Malt Beverages in the List of Exempt Products in the Law Regarding the Labeling of Genetically Engineered Products"

(H.P. 295) (L.D. 456)

Sponsored by Representative BLACK of Wilton.

Cosponsored by Senator DILL of Penobscot and Representatives: CAMPBELL of Orrington, GREENWOOD of Wales, HANLEY of Pittston, HILLIARD of Belgrade, TIMMONS of Cumberland.

Bill "An Act To Redistribute the Agricultural Fair Support Fund" (EMERGENCY)

(H.P. 296) (L.D. 457)

Sponsored by Representative SAUCIER of Presque Isle.
Cosponsored by Senator BREEN of Cumberland and Representatives: CHIPMAN of Portland, LONGSTAFF of Waterville, LUCHINI of Ellsworth, MARTIN of Sinclair, McCABE of Skowhegan, SCHNECK of Bangor, WHITE of Washburn.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Protect the Environment from Fireworks Debris"

(H.P. 298) (L.D. 459)

Sponsored by Representative LAJOIE of Lewiston.
Cosponsored by Senator LIBBY of Androscoggin and Representatives: CHIPMAN of Portland, GOLDEN of Lewiston, LONG of Sherman, MAKER of Calais, NADEAU of Winslow, SHAW of Standish, STANLEY of Medway, TIMBERLAKE of Turner.

Bill "An Act To Restore Liability Insurance Requirements for Amusement Rides and Other Public Exhibitions" (EMERGENCY)

(H.P. 299) (L.D. 460)

Sponsored by Representative COOPER of Yarmouth.
Cosponsored by Senator BREEN of Cumberland and Representatives: DION of Portland, KORNFIELD of Bangor, TIMMONS of Cumberland.

Bill "An Act To Implement a Motor Vehicle Violation Electronic Citation Program"

(H.P. 297) (L.D. 458)

Sponsored by Representative CAMPBELL of Orrington.
Cosponsored by Senator DIAMOND of Cumberland and Representatives: HARLOW of Portland, LONGSTAFF of Waterville, WHITE of Washburn.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested.

On motion of Representative FOWLE of Vassalboro, **TABLED** pending **REFERENCE** and later today assigned.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Change the Notification Deadline for the Nonrenewal of a Teacher's Contract"

(H.P. 300) (L.D. 461)

Sponsored by Representative MAKER of Calais.
Cosponsored by Senator EDGECOMB of Aroostook and Representatives: HUBBELL of Bar Harbor, McCLELLAN of Raymond, STEARNS of Guilford, Senator: LANGLEY of Hancock.

Bill "An Act To Clarify Rulemaking for Transportation of Public School Students"

(H.P. 301) (L.D. 462)

Sponsored by Representative HUBBELL of Bar Harbor.
Cosponsored by Senator LANGLEY of Hancock and Representative: DAUGHTRY of Brunswick.
Submitted by the Department of Education pursuant to Joint Rule 204.

Bill "An Act Regarding Eligibility of Children Placed in Guardianship for the School Lunch and Milk Program"

(H.P. 302) (L.D. 463)

Sponsored by Representative MALABY of Hancock.

Bill "An Act To Improve Science and Engineering Education for Maine's Students"

(H.P. 303) (L.D. 464)

Sponsored by Representative DEVIN of Newcastle.
Cosponsored by Senator DILL of Penobscot.

ENERGY, UTILITIES AND TECHNOLOGY

Bill "An Act To Eliminate the Broadband Sustainability Fee"

(H.P. 304) (L.D. 465)

Sponsored by Representative HIGGINS of Dover-Foxcroft.
Cosponsored by Senator DAVIS of Piscataquis and Representatives: GINZLER of Bridgton, HANINGTON of Lincoln, MAKER of Calais, McELWEE of Caribou, SAWICKI of Auburn, SHERMAN of Hodgdon, SKOLFIELD of Weld, TURNER of Burlington.

Bill "An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market"

(H.P. 305) (L.D. 466)

Sponsored by Representative DUNPHY of Embden.
Cosponsored by Senator WHITTEMORE of Somerset and Representatives: BEAVERS of South Berwick, DION of Portland, HIGGINS of Dover-Foxcroft, O'CONNOR of Berwick, PIERCE of Dresden, RYKERSON of Kittery, TURNER of Burlington, WADSWORTH of Hiram.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act To Change the Borders of the Saco River Corridor"

(H.P. 306) (L.D. 467)

Sponsored by Representative WADSWORTH of Hiram.
Cosponsored by Representatives: GINZLER of Bridgton, KINNEY of Limington, MAREAN of Hollis, SKOLFIELD of Weld.

Bill "An Act To Prohibit the Use of Certain Disposable or Polystyrene Food Service Containers"

(H.P. 307) (L.D. 468)

Sponsored by Representative BURSTEIN of Lincolnville.
Cosponsored by Senator MIRAMANT of Knox and Representatives: GIDEON of Freeport, HEAD of Bethel, HYMANSON of York, MASTRACCIO of Sanford, STUCKEY of Portland, WELSH of Rockport.

HEALTH AND HUMAN SERVICES

Bill "An Act To Promote the Disposal of Unused Medications"

(H.P. 308) (L.D. 469)

Sponsored by Representative HILLIARD of Belgrade.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: HICKMAN of Winthrop, LYFORD of Eddington, POULIOT of Augusta, SANDERSON of Chelsea, STEARNS of Guilford.

Bill "An Act To Allow Children's Residential Care Facilities To Ensure the Safety of Their Residents"

(H.P. 309) (L.D. 470)

Sponsored by Representative WHITE of Washburn.
Cosponsored by Senator WILLETTE of Aroostook and Representatives: BATES of Westbrook, BUCKLAND of Farmington, EDGECOMB of Fort Fairfield, GILLWAY of Searsport, MARTIN of Sinclair, PRESCOTT of Waterboro, SANDERSON of Chelsea, Senator: BRAKEY of Androscoggin.

Bill "An Act To Improve Childhood Vaccination Rates in Maine"

(H.P. 310) (L.D. 471)

Sponsored by Representative SANBORN of Gorham.
Cosponsored by Representative FARNSWORTH of Portland, Senator KATZ of Kennebec and Representatives: BURSTEIN of Lincolnville, GATTINE of Westbrook, HEAD of Bethel, HUBBELL of Bar Harbor, JORGENSEN of Portland, NUTTING of Oakland, Senators: DILL of Penobscot, HASKELL of Cumberland.

Bill "An Act To Establish Meals on Wheels as a Service Covered under the MaineCare Program"

(H.P. 311) (L.D. 472)

Sponsored by Representative COOPER of Yarmouth.
Cosponsored by Representative SANBORN of Gorham, Senator BREEN of Cumberland and Representatives: HERBIG of Belfast, KORNFIELD of Bangor, MASTRACCIO of Sanford.

Resolve, Directing the Department of Education and the Department of Health and Human Services To Jointly Adopt Rules To Protect Children's Health

(H.P. 312) (L.D. 473)

Sponsored by Representative HYMANSON of York.
Cosponsored by Senator GRATWICK of Penobscot and Representatives: BROOKS of Lewiston, BURSTEIN of Lincolnville, HUBBELL of Bar Harbor, MASTRACCIO of Sanford.

Bill "An Act To Improve Access to Dental Care in Maine"

(H.P. 313) (L.D. 474)

Sponsored by Representative GATTINE of Westbrook.
Cosponsored by Senator BURNS of Washington and Representatives: CHIPMAN of Portland, FARNSWORTH of Portland, HEAD of Bethel, SANBORN of Gorham, STUCKEY of Portland, WALLACE of Dexter, Senators: GRATWICK of Penobscot, WHITTEMORE of Somerset.

Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home (EMERGENCY)

(H.P. 314) (L.D. 475)

Sponsored by Representative STUCKEY of Portland.
Cosponsored by Representatives: FARNSWORTH of Portland, MALABY of Hancock, SANBORN of Gorham.

Bill "An Act To Require Pharmacies To Provide Disposal Receptacles for Used Hypodermic Apparatuses"

(H.P. 315) (L.D. 476)

Sponsored by Representative FARNSWORTH of Portland.
Cosponsored by Representatives: CHENETTE of Saco, GATTINE of Westbrook, HYMANSON of York, STUCKEY of Portland, TUCKER of Brunswick, Senator: BURNS of Washington.

Resolve, To Increase Funding To Support Peer Centers

(H.P. 316) (L.D. 477)

Sponsored by Representative STUCKEY of Portland.
Cosponsored by Senator GRATWICK of Penobscot and Representatives: CHIPMAN of Portland, DOORE of Augusta, ROTUNDO of Lewiston, Senators: LIBBY of Androscoggin, SAVIELLO of Franklin, WOODSOME of York.

Bill "An Act To Require That Death Certificates Be Signed Using an Electronic Signature System"

(H.P. 317) (L.D. 478)

Sponsored by Representative STANLEY of Medway.

Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety (EMERGENCY)

(H.P. 356) (L.D. 517)

Sponsored by Representative FARNSWORTH of Portland.
Cosponsored by Representatives: McCLELLAN of Raymond, PETERSON of Rumford, STUCKEY of Portland.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Allow Hunting on Sunday with the Landowner's Written Consent"

(H.P. 318) (L.D. 479)

Sponsored by Representative GREENWOOD of Wales.
Cosponsored by Senator WILLETTE of Aroostook and Representatives: BICKFORD of Auburn, CRAFTS of Lisbon, LONG of Sherman, SHAW of Standish, STETKIS of Canaan, TURNER of Burlington, WOOD of Sabattus, Senator: CUSHING of Penobscot.

Bill "An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas"

(H.P. 319) (L.D. 480)

Sponsored by Representative POWERS of Naples. (BY REQUEST)

INSURANCE AND FINANCIAL SERVICES

Bill "An Act To Amend the Eligibility Requirements for the Rural Medical Access Program"

(H.P. 320) (L.D. 481)

Sponsored by Representative MALABY of Hancock.

JUDICIARY

Bill "An Act To Prohibit Flying over Land with Drones without Written Permission from the Landowner"

(H.P. 321) (L.D. 482)

Sponsored by Representative BLACK of Wilton.
Cosponsored by Senator EDGECOMB of Aroostook and Representatives: CRAFTS of Lisbon, HANLEY of Pittston, HARLOW of Portland, HICKMAN of Winthrop, LONG of Sherman, TIMBERLAKE of Turner, TIMMONS of Cumberland, TURNER of Burlington.

Bill "An Act Regarding the Confidentiality of Railroad Carrier Cargo"

(H.P. 323) (L.D. 484)

Sponsored by Representative SHAW of Standish.

Bill "An Act To Clarify the Protections of Court Appointed Special Advocate Workers under State Law"

(H.P. 352) (L.D. 513)

Sponsored by Representative HYMANSON of York.
Cosponsored by Representatives: CHENETTE of Saco, HOBBS of Saco, WARREN of Hallowell.

Bill "An Act Regarding the Reporting Standards for Child Abuse"

(H.P. 322) (L.D. 483)

Sponsored by Representative BATES of Westbrook.
Cosponsored by Senator KATZ of Kennebec and Representatives: GIDEON of Freeport, HAMANN of South Portland, SANBORN of Gorham, SCHNECK of Bangor, STUCKEY of Portland, WARD of Dedham, WHITE of Washburn, Senator: BRAKEY of Androscoggin.

Committee on **JUDICIARY** suggested.

On motion of Representative HOBBS of Saco, **TABLED** pending **REFERENCE** and later today assigned.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Require Adequate Rest Breaks for Employees"

(H.P. 325) (L.D. 486)

Sponsored by Representative CHENETTE of Saco.
Cosponsored by Senator VALENTINO of York and Representatives: BATES of Westbrook, CAMPBELL of Newfield, FECTEAU of Biddeford, HERBIG of Belfast.

Bill "An Act To Provide for an Increase in the Minimum Wage"

(H.P. 326) (L.D. 487)

Sponsored by Representative CHIPMAN of Portland.
Cosponsored by Senator JOHNSON of Lincoln and Representatives: BATES of Westbrook, CAMPBELL of Newfield, FECTEAU of Biddeford, MASTRACCIO of Sanford, Senators: ALFOND of Cumberland, GRATWICK of Penobscot, LIBBY of Androscoggin, PATRICK of Oxford.

Bill "An Act To Expand the Scope of Practice for Denturists"

(H.P. 327) (L.D. 488)

Sponsored by Representative SHAW of Standish.

Bill "An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment"

(H.P. 328) (L.D. 489)

Sponsored by Representative LOCKMAN of Amherst.
Cosponsored by Senator BRAKEY of Androscoggin and Representatives: O'CONNOR of Berwick, REED of Carmel, SAWICKI of Auburn, SIROCKI of Scarborough, STETKIS of Canaan, WARD of Dedham, Senators: BURNS of Washington, WILLETTE of Aroostook.

Bill "An Act To Allow Licensed Foresters To Use Mechanics Liens"

(H.P. 324) (L.D. 485)

Sponsored by Representative McCLELLAN of Raymond.
Cosponsored by Representatives: AUSTIN of Gray, NUTTING of Oakland, WADSWORTH of Hiram.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested.

On motion of Representative HERBIG of Belfast, **TABLED** pending **REFERENCE** and later today assigned.

MARINE RESOURCES

Bill "An Act To Extend the Legal Hours for Harvesting Lobsters"

(H.P. 329) (L.D. 490)

Sponsored by Representative KUMIEGA of Deer Isle.

Bill "An Act To Lower from 70 to 65 the Age at Which a Person May Obtain a Lobster and Crab Fishing License for a Reduced Fee"

(H.P. 330) (L.D. 491)

Sponsored by Representative GILLWAY of Searsport.
Cosponsored by President THIBODEAU of Waldo and Representatives: CAMPBELL of Orrington, LOCKMAN of Amherst, MALABY of Hancock, PICCHIOTTI of Fairfield, Senator: DAVIS of Piscataquis.

Bill "An Act To Expand Eligibility for Lobster and Crab Fishing Licenses for Veterans" (EMERGENCY)

(H.P. 331) (L.D. 492)

Sponsored by Representative KUMIEGA of Deer Isle.
Cosponsored by Senator MIRAMANT of Knox and Representatives: ALLEY of Beals, DEVIN of Newcastle, PIERCE of Dresden.

Bill "An Act To Create the Ocean Acidification Council"

(H.P. 332) (L.D. 493)

Sponsored by Representative DEVIN of Newcastle.
Cosponsored by Senator JOHNSON of Lincoln and Representatives: KUMIEGA of Deer Isle, WELSH of Rockport, Senator: LANGLEY of Hancock.

STATE AND LOCAL GOVERNMENT

Bill "An Act Regarding the Maintenance of Easements"

(H.P. 333) (L.D. 494)

Sponsored by Representative HILLIARD of Belgrade.

Cosponsored by Representative: POULIOT of Augusta.

Bill "An Act To Make Minor Nonsubstantive Changes to the Laws Affecting the Office of the State Auditor"

(H.P. 334) (L.D. 495)

Sponsored by Representative MARTIN of Sinclair.
Cosponsored by Senator WILLETTE of Aroostook and Representative: BRYANT of Windham, Senator: LIBBY of Androscoggin.

Submitted by the Office of the State Auditor pursuant to Joint Rule 204.

Resolve, To Transfer Certain State-owned Property to the Town of East Millinocket

(H.P. 335) (L.D. 496)

Sponsored by Representative STANLEY of Medway.

Cosponsored by Senator DILL of Penobscot.

TAXATION

Bill "An Act To Provide a Sales Tax Rebate for Certain Organizations Providing Services to Disabled Veterans"

(H.P. 336) (L.D. 497)

Sponsored by Representative WINSOR of Norway.
Cosponsored by Senator HAMPER of Oxford and Representatives: DEVIN of Newcastle, DUNPHY of Embden, FARRIN of Norridgewock, KINNEY of Limington, LONGSTAFF of Waterville, MARTIN of Sinclair, SAUCIER of Presque Isle, WALLACE of Dexter.

Bill "An Act To Restore the Super Credit for Substantially Increased Research and Development"

(H.P. 337) (L.D. 498)

Sponsored by Representative NUTTING of Oakland.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: CHACE of Durham, PICCHIOTTI of Fairfield, RUSSELL of Portland, SKOLFIELD of Weld, Senator: KATZ of Kennebec.

Bill "An Act To Create Jobs in the Forest Products Industry"
(H.P. 338) (L.D. 499)

Sponsored by Representative STANLEY of Medway.
Cosponsored by Representatives: CAMPBELL of Orrington, HANINGTON of Lincoln, LONG of Sherman, SHORT of Pittsfield, VEROW of Brewer.

Bill "An Act To Support Municipal Volunteers"
(H.P. 339) (L.D. 500)

Sponsored by Speaker EVES of North Berwick.
Cosponsored by Representative THERIAULT of China, Senator DUTREMBLE of York and Representatives: GOLDEN of Lewiston, LAJOIE of Lewiston, LONG of Sherman, MAKER of Calais, SHAW of Standish, STANLEY of Medway, TIMBERLAKE of Turner, Senator: BAKER of Sagadahoc.

Bill "An Act To Amend the Estate Tax Laws"
(H.P. 340) (L.D. 501)

Sponsored by Representative STUCKEY of Portland.
Cosponsored by Representatives: ALLEY of Beals, BRYANT of Windham, GOODE of Bangor, HAMANN of South Portland, MOONEN of Portland, TIPPING-SPITZ of Orono.

Bill "An Act To Repeal the Service Provider Tax on Private Nonmedical Institutions and To Offset That Revenue Loss"
(H.P. 341) (L.D. 502)

Sponsored by Representative MAREAN of Hollis.
Cosponsored by Senator McCORMICK of Kennebec and Representatives: GOODE of Bangor, GRANT of Gardiner, MAKER of Calais, POULIOT of Augusta, SANDERSON of Chelsea, SEAVEY of Kennebunkport, Senators: DIAMOND of Cumberland, LIBBY of Androscoggin.

Bill "An Act To Provide Local Sales Tax Increment Disbursements"
(H.P. 342) (L.D. 503)

Sponsored by Representative SCHNECK of Bangor.
Cosponsored by Senator COLLINS of York and Representatives: BLUME of York, GOODE of Bangor, HYMANSON of York, MAREAN of Hollis, O'CONNOR of Berwick, RYKERSON of Kittery, Senators: HILL of York, VALENTINO of York.

Bill "An Act To Amend the Laws Governing the Location of Motor Vehicle Excise Tax Collection for Motor Vehicles Owned by Public Utilities"
(H.P. 353) (L.D. 514)

Sponsored by Representative BUCKLAND of Farmington.
Cosponsored by Senator SAVIELLO of Franklin and Representatives: BROOKS of Lewiston, CHIPMAN of Portland, GINZLER of Bridgton, HARLOW of Portland, HEAD of Bethel, HIGGINS of Dover-Foxcroft, McCABE of Skowhegan, McELWEE of Caribou, PICCHIOTTI of Fairfield, Senators: BRAKEY of Androscoggin, CYRWAY of Kennebec, DAVIS of Piscataquis, DUTREMBLE of York, MIRAMANT of Knox.

TRANSPORTATION

Bill "An Act To Increase the Funding Level of the Local Road Assistance Program" (EMERGENCY)
(H.P. 344) (L.D. 505)

Sponsored by Representative GILLWAY of Searsport.
Cosponsored by President THIBODEAU of Waldo and Representatives: CAMPBELL of Orrington, CHACE of Durham, EDGECOMB of Fort Fairfield, EVANGELOS of Friendship, KINNEY of Knox, WHITE of Washburn, Senator: DAVIS of Piscataquis.

Bill "An Act To Improve Public-private Transportation Partnerships"
(H.P. 345) (L.D. 506)

Sponsored by Representative CHAPMAN of Brooksville.
Cosponsored by Senator DAVIS of Piscataquis.

Bill "An Act To Amend the Law Regarding Commercial Learner's Permits" (EMERGENCY)
(H.P. 354) (L.D. 515)

Sponsored by Representative McLEAN of Gorham.
Cosponsored by Senator COLLINS of York.

Bill "An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility"
(H.P. 343) (L.D. 504)

Sponsored by Representative FOWLE of Vassalboro.
Committee on **TRANSPORTATION** suggested.
On motion of Representative McLEAN of Gorham, **TABLED** pending **REFERENCE** and later today assigned.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Allow Primary Petition Signature Requirements To Be Proportional with Party Enrollment"
(H.P. 346) (L.D. 507)

Sponsored by Representative CHIPMAN of Portland.
Cosponsored by Representatives: BEAR of the Houlton Band of Maliseet Indians, GOLDEN of Lewiston, HANINGTON of Lincoln, KINNEY of Limington, LONGSTAFF of Waterville, MONAGHAN of Cape Elizabeth, SAUCIER of Presque Isle, SCHNECK of Bangor.

Bill "An Act To Amend the Laws Governing the Number of Agency Liquor Stores Allowed in a Municipality"
(H.P. 347) (L.D. 508)

Sponsored by Representative LYFORD of Eddington.
Cosponsored by Senator ROSEN of Hancock and Representatives: CAMPBELL of Orrington, HILLIARD of Belgrade, REED of Carmel, STEARNS of Guilford, VEROW of Brewer, WARD of Dedham, WOOD of Sabattus.

Bill "An Act To Facilitate the Timely Return of Requested Absentee Ballots"
(H.P. 348) (L.D. 509)

Sponsored by Representative SCHNECK of Bangor.
Cosponsored by Senator GRATWICK of Penobscot and Representatives: BATES of Westbrook, BLUME of York, GOODE of Bangor, KORNFIELD of Bangor, MASTRACCIO of Sanford, MELARAGNO of Auburn, SAUCIER of Presque Isle, STANLEY of Medway.

Bill "An Act To Increase the Number of Container Options for Breweries"
(H.P. 349) (L.D. 510)

Sponsored by Representative AUSTIN of Gray.
Cosponsored by Senator COLLINS of York and Representatives: GERRISH of Lebanon, McCLELLAN of Raymond, NUTTING of Oakland, REED of Carmel, SHERMAN of Hodgdon, TIMMONS of Cumberland, WADSWORTH of Hiram.

Bill "An Act To Permit a Licensed Sales Representative To Provide Spirits at an Approved Tasting Event"
(H.P. 350) (L.D. 511)

Sponsored by Representative GIDEON of Freeport.
Cosponsored by Senator HASKELL of Cumberland and Representatives: GOLDEN of Lewiston, LONGSTAFF of Waterville, MALABY of Hancock, Senator: LANGLEY of Hancock.

Bill "An Act Regarding Gaming" (EMERGENCY)
(H.P. 355) (L.D. 516)

Sponsored by Representative LUCHINI of Ellsworth.
Cosponsored by Senator CYRWAY of Kennebec and
Representatives: MONAGHAN of Cape Elizabeth, SAUCIER of
Presque Isle, TURNER of Burlington, Senator: PATRICK of
Oxford.

Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 205.

Pursuant to Statute
Criminal Law Advisory Commission

Representative FOWLE for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code"

(H.P. 351) (L.D. 512)

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, February 12, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the
Sacopec Valley High School Girls Soccer Team, of Hiram

(HLS 1)

TABLED - January 7, 2015 (Till Later Today) by Representative POWERS of Naples.

PENDING - **PASSAGE**.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

At this point, the Senate came and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Michael D. Thibodeau in the Chair.

The Convention was called to order by the Chair.

On motion by Senator CUSHING of Penobscot, it was

ORDERED, that a Committee be appointed to wait upon the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court and members of the Judiciary and inform them that the two branches of the Legislature are in Convention assembled, ready to receive such communication as pleases the Chief Justice.

The Order was **READ** and **PASSED**.

The Chair will appoint the following:

Senator BURNS from Washington
Senator VOLK from Cumberland
Senator JOHNSON from Lincoln
Representative HOBBS from Saco
Representative MONAGHAN from Cape Elizabeth
Representative MOONEN from Portland
Representative McCREIGHT from Harpswell
Representative WARREN from Hallowell
Representative GUERIN from Glenburn
Representative SHERMAN from Hodgdon
Representative GINZLER from Bridgton
Representative HERRICK from Paris
Representative EVANGELOS from Friendship
Representative MITCHELL from the Penobscot Nation

Subsequently, Senator BURNS of Washington, for the Committee, reported that the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court, the Honorable Paul R. LePage, Governor of the State of Maine, and the Honorable members of the Judiciary will attend forthwith.

The Chair welcomed to the Convention the Honorable members of the Judiciary.

The Chair recognized the Justices of the Maine Supreme Judicial Court: Associate Justice Donald G. Alexander, Associate Justice Andrew M. Mead, Associate Justice Ellen A. Gorman, Associate Justice Joseph M. Jabar, and Associate Justice Jeffrey L. Hjelm. The Chair also recognized the Chief Justice of the Superior Court, the Honorable Thomas E. Humphrey; the Chief Judge of the District Court, the Honorable Charles C. Laverdiere; and Deputy Chief Judge of the District Court, the Honorable Jeffrey Moskowitz.

The Chair welcomed to the Convention the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court accompanied by Governor Paul Richard LePage.

The Chair recognized in the House Gallery: William E. Saufley, Esq., husband of Chief Justice Saufley; Richard and Jan Ingalls, parents of Chief Justice Saufley; Judge and Mrs. Michael L. Dubois, President of Maine Probate Judges' Assembly; James T. Glessner, State Court Administrator; and Mary Ann Lynch, Government and Media Counsel for the state courts.

The Chair requested the Honorable Leigh Ingalls Saufley, Chief Justice of the Maine Supreme Judicial Court, to please step forward and address the Joint Convention.

Chief Justice **SAUFLEY**: Thank you very much. I love your spontaneity. Thank you, President Thibodeau. Good Morning, Governor LePage, Speaker Eves, Honorable Members of the 127th Maine Legislature, Probate Judge Dubois, and citizens of the great State of Maine.

I have to tell you, my incredible husband, Bill Saufley, is sitting in the Gallery today. We all refer to him as the "long-suffering" Bill Saufley, and he's suffering even more this morning because in the effort to get everything that I have to pack into the car done this morning, he hit the ice, sliced his hand open, and

bled on my speech. So, if anything sounds off as I go through the morning, it's his fault. It's sort of the story of his life, right my love? And with him are my parents, Jan and Dick Ingalls, who have through all these years been incredibly supportive, and have taught me so much about the value of hard work and collaboration, and I'm so happy they're able to be here today.

And, of course, with me are the members of the Supreme Judicial Court and the Trial Court Chiefs. I can't tell you what an honor it is to work with this extraordinary group of people every day.

It is also a particular privilege to be presenting this report this year, in 2015.

Eight hundred years ago today, in 1215, in a field in Runnymede, England, King John set his seal to the Magna Carta, the document that created some of the most important concepts of liberty and justice that we follow today.

Now, you may all be aware that the Magna Carta is understood to have been one of the foundations of our Rule of Law. What you may not be aware is that Justice Donald G. Alexander was actually there when it was signed! I'll pay for that. I just want you to know that.

Before I get to the State of the Judiciary, many of you have not have had an opportunity to meet the newest member of the Supreme Judicial Court, so I want to take a moment to introduce Justice Jeffrey Hjelm, and I'm going to ask him to stand, and he begged me not to and I'm going to do it anyhow because I'm just that mean. Justice Hjelm, if you would stand.

Justice Hjelm served as a trial judge for 22 years before his appointment to the SJC last fall. He has extensive experience with jury trials. He's already sitting down, isn't he? Yes? And, given his earlier work in the Criminal Division of the Attorney General's Office, he brings a wealth of experience in criminal process and sentencing. He is well known for his thoughtful and thorough work, and responses to the Chief Justice's requests, and I am delighted to have him working with us.

I want to take just a moment this morning to say goodbye to one of my heroes.

This past December, we lost Chief Justice Vincent McKusick, who died at the age of 93. The Chief, as we all called him, had a very full career in private practice before serving as Chief Justice from 1977 to 1992. And, it's particularly fitting to salute him today because, as Chief Justice, he had a special focus on the relationship among the branches of government.

For those of you who are historians, where are you Senator Cushing? He always knows these things before I do, so I just want to keep an eye on him. We understand that the first Chief Justice to present a report to the Legislature on the State of the Judiciary in Maine was Chief Justice Armand Dufresne, in 1977. CJ Dufresne was also our very first Franco-American Chief Justice.

Then Chief Justice McKusick became Chief, and he noted the value of communication among the branches, and helped to make a tradition. He was the first Chief who was regularly invited to speak to the Maine Legislature, eventually providing the annual presentation that brings us here today.

The Chief was a man of towering intellect, and more than that, he was a gentleman. His non-partisan, collegial, and respectful approach to cross-branch relationships helped make my presence here today possible. Many of you remember his kind, warm style, and I will always be grateful for the support he provided me as I took on a job he had done so well.

And with that, I present you—the State of the Judiciary in Maine.

Now, some of you have noted how large the notebook is, and I do want to tell you that I will finish before sunset, so settle in.

But the truth is, and I know that some of you are almost as old as I am, I've gotten to the point where I can really only have about five words on a page if I'm going to see them and speak to you. So it does take a bit more pages.

Let me begin with a little bit of context. For more than a dozen years, I have talked with Maine Legislators about the need to support a solid system of justice for the Maine people. During that time, the Judicial Branch has had to address the chronic underfunding of justice in Maine.

Ten years ago, in 2005, the resource limitations on the provision of justice were so severe that I dispensed with the ordinary annual report and made a direct appeal to this august body. I told Legislators then that the resources for providing justice in Maine were "woefully inadequate."

The result of that underfunding was evident throughout the system:

- Many courthouses were in disrepair;
- Too many were physically inaccessible;
- Court safety was non-existent;
- Reduced budgets had resulted in vacancies that created unconscionable delays.

The situation was truly dire.

Given this background, I am particularly pleased, and grateful to all of you, to be presenting this year's report on the State of Maine's Judiciary, because today I bring you good news.

I am pleased to report that, with legislative support, and the support of Governor LePage, we are turning the corner.

Over the last several years, we have been able to improve facilities, accomplish consolidations, redirect resources, and implement changes that make the Judicial Branch more efficient and more responsive to the public.

Although much remains to be done, and I will give you a road map for some of that later this morning, I first want to take a moment to celebrate some of the accomplishments.

First and foremost, our courthouses are safer. Thank you.

Entry Screening has been instituted in courthouses throughout the State of Maine, and the final steps are at hand to make it available nearly every day in every court.

We must be able to tell everyone coming to court in tense and dangerous situations, including victims of domestic violence, that, at least within our courthouses, they are safe.

We are almost there. Your support for that aspect of the Governor's budget will make it a reality.

Second, there have been substantial improvements in many courthouses.

In renovating and repairing Maine's courthouses, we have taken the opportunity to consolidate facilities.

Ten court buildings in four cities have been consolidated into four buildings in Houlton, Dover-Foxcroft, Bangor, and Augusta.

The resulting consolidations provide much more effective public service. The buildings require only one team of marshals for entry screening, one team of clerks, and they allow for much greater collaboration among trial judges. Public confusion about which courthouses to go to has been eliminated.

In the past 12 years, we have reduced the number of court facilities from 47 to 39, without sacrificing access to justice in our rural regions. Every one of the consolidations improves efficiency and public service. Projects in Oxford, Franklin, York, and Waldo Counties, where three of the county courthouses are more than 100 years old, are next on the drawing board. And we'll be talking to you about those needs very soon.

At the same time, we have consolidated most of our clerks' offices so that 42 formerly separate units are now organized into 27 units. And that has allowed us to use existing positions much more effectively.

We have been able to repurpose some of those positions to create a central phone bank of highly trained, customer service oriented staff to respond to questions that come into the courts by phone. The public response has been uniformly positive, and the goal is to expand the Service Center statewide.

And, with the support of the 126th Maine Legislature and the Governor, this year we will begin the digital upgrade to create eFiling for Maine's courts.

This has taken months of planning, including learning what other states have done right, and what they have done wrong. We've involved representatives of state government and other stakeholders to assure that we're creating a system that will be integrated and effective throughout the state. And soon we'll be ready to publish the RFP and issue the bond that was approved by the 126th Legislature.

Finally, regarding efficiencies, let me tell you about the extraordinary improvement in public service that will be demonstrated in the brand new Capital Judicial Center, which opens for business next Monday. Justice Jabar has taken the lead on guiding the work for this new building.

The Capital Judicial Center will consolidate all trial court functions in Augusta under one roof, and thanks to KVCAP, a new bus stop will provide public transportation directly to the courthouse door.

In addition to the trial courts, all of the Augusta based Judicial Branch administrative offices, including the technology center, will be in the new building.

Like the old Kennebec County Courthouse, which opened in 1830 (two years before this very State House) the new courthouse, fit for the State's Capital, is designed to serve the public for generations to come.

It's filled with natural light, and, from the public spaces, the view of the Kennebec River, the lifeblood of the region, will be featured everywhere.

There are multiple mediation and conference rooms, wide corridors for safety, and a more private space for domestic violence documents.

It's built, in great part, with Maine's natural resources: the beautiful granite is from Jay, much of the lumber is from Maine's forests, and the woodwork was milled in southern Maine.

Most of the businesses and individuals who worked on this building were from Maine. During the height of construction, more than 100 people were employed daily on site.

It will be LEED certified and energy efficient, taking advantage of the new natural gas lines and a design that makes the best use of southern exposure.

And, it's attached by a sky-bridge to the venerable county courthouse, so that the beautiful old courtroom, which will now be upgraded for ADA compliance and technology, will be a seamless part of the new courthouse. Maintaining that historic courtroom, which we could never replicate today, was a very high priority.

This project represents the best of bi-partisan government collaboration. It was initially proposed in the 124th Maine Legislature, and was approved by Governor Baldacci. Each successive Legislature and Governor LePage have continued to support the project.

The end result is a building that has been completed on time, and on budget, and will stand as a symbol for justice in the State's Capital for the next two hundred years.

We will have a grand opening on May 1st, and I hope all of you will join us.

As the Capital Judicial Center opens, and the Washington County Courthouse addition and renovation in Machias are

completed later this year, we are well on our way to a cost-efficient, solid facility infrastructure for the next century.

At the same time that we've been laying the groundwork for a more efficient and productive infrastructure, we have undertaken several projects to reform court process.

So, why are we focusing on court process?

You have all heard the phrase:

Justice Delayed is Justice Denied.

And though it sounds like a platitude, it is truly a description of reality.

If you are a victim of a crime who must wait for trial so long that the witnesses no longer recall the events with accuracy, if you are a ten-year-old waiting to learn what school district you will attend while your parents' divorce remains pending, if your plans to expand a business gets tangled up in court,

You know what Justice Delayed really means.

And I would add to that phrase:

Justice that is too expensive is no Justice at all.

Justice that is financially out of reach of the litigants can't be tolerated. Any court process that includes non-productive trips to the courthouse creates an impediment to achieving the Justice we all want.

Therefore, we are working to improve all court procedures to streamline process.

A good example of improved process can be found in the Business and Consumer Docket, which now handles more than 100 complex cases every year. As a result of intense judicial management, cases accepted into the Business and Consumer Docket benefit from an average completion time of less than eleven months—less than eleven months for a complex business case that once required somewhere between three and five years to complete!

The latest court project to streamline proceedings is the Unified Criminal Docket. We began that as a pilot project in 2009 in Cumberland County, and it was expanded into Bangor in 2011. In the last year, several more counties have streamlined their criminal process, and by July 1, 2015, this year, the Unified Criminal Docket will be implemented statewide.

By eliminating the old two-tiered system, we've created a system where the schedule of every court event in a criminal case is produced on the very first day that the defendant appears in court. This process respects the serious aspects of criminal law, while at the same time ending the practice of requiring crime victims, witnesses, lawyers, and defendants to appear repeatedly without resolution.

This docketing change has substantially reduced the time for resolution of criminal cases. And I am grateful for the skills of Justice Gorman, who has been the primary architect and judicial guide for this docketing innovation.

The focus on criminal process is critically important right now and leads me to address the challenges we face and further improvements that are necessary.

In Fiscal Year 2014, almost 56,000 new criminal cases were filed in the trial courts.

Despite the consistent effort of law enforcement, victim advocates, the court system, and the Governor himself, the Attorney General reports that 21 homicides occurred in 2014 and fourteen of those homicides involved domestic violence. As you heard during the State of the State, eight of those who were murdered were children.

We have to do better.

We also know from the Attorney General that there is another tragedy affecting Maine's children every day. In 2012, 779 babies were born into a world where their first experience was detoxifying from drugs.

That number climbed to 927 in 2013, and last year saw a new record of 961 drug affected babies. That's almost 8% of the live births in our small state—one out of every twelve babies born in Maine is affected at birth by drug abuse. That's a tragedy of enormous proportions.

It is clear that our efforts to eliminate drug addiction and address family violence must be redoubled. The Drug Treatment Courts for families, veterans, and people with mental illness will need your support this session. Please help.

In addition, the pending proposal for four new judge positions could not come at a better time.

The trial judges' ability to reach the relentless arrival of new criminal cases is strained to the maximum right now.

To assist the trial courts, the Supreme Court deferred its own caseload in January to allow Supreme Court judges to assist with trial court caseloads. Justice Alexander led the SJC in assisting the trial courts in that unceasing caseload, and we're very hopeful that these efforts will help the entire system, but more judges are necessary if we are to keep up with the demands.

Another impediment to the access to justice in Maine, as in every other state, is the inability of so many people, even those with modest incomes, to afford legal assistance.

Even the best, most efficient court proceedings require the expertise of lawyers to assist the litigants. We do not expect people to diagnose and treat their own illnesses, nor should it be acceptable that they are unassisted in critical, life-changing legal proceedings.

We are very fortunate to have Justice Mead leading the efforts to improve access to justice, and working with a legal profession that is among the most generous in the country.

Maine lawyers donated more than \$2 million dollars in free legal services to Maine people in 2014, and Maine lawyers and judges reached deep into their own pockets to give more than half a million dollars to the Campaign for Justice, which provides funds for legal services for the low-income and elderly.

Justice Mead will be here with you next week in the Hall of Flags with the civil legal services lawyers to provide you with more information that may help you as you assist your constituents.

Finally, in keeping with our efforts to reform process, I am very pleased today to launch a new initiative:

All three branches of government have come together to create

The Maine Task Force on Pretrial Justice Reform.

Context is helpful.

In 2005, the Legislature asked the Corrections Alternative Advisory Committee to obtain a study of Maine's pretrial case processing. The Committee reported back in 2006 with recommendations for changes and improvement throughout the criminal justice system: in the jails, with law enforcement, in the courts, with our bail commissioners, and with the lawyers.

Some changes have been accomplished, and the reduction in the criminal backlogs accomplished by the Unified Criminal Process is one significant improvement. But many recommendations have yet to be addressed.

At the same time, I know I don't have to tell you that the costs of Maine's jails is ever increasing.

We know that 60% of the people held in county jails, 60%, are in pretrial status.

Some are serious flight risks, others present a very real risk of danger in their communities;

But, some are there because they failed to appear in court to address an unpaid fine;

Some are there because they failed to appear for a charge that would not itself have resulted in them going to jail;

Some are there because they don't have the necessary funds to post cash bail;

Others are waiting for beds in treatment facilities;

And, many struggle with mental illness and are unable to control their behaviors long enough to stay out of jail.

Defendants who present a risk of flight or violence need the attention and resources of the jails. But many others could be better addressed with the focused attention of less costly resources.

We are not the only state that is struggling with these challenges. In the last several years, there have been a number of efforts throughout the country to address overcrowding in community jails.

The goals are simple:

Reduce the financial and human costs of unnecessary incarceration without compromising individual or community safety or the integrity of the criminal justice system.

There is a growing body of research that tells us that reaching those goals is actually possible.

The research supports the adoption of effective practices such as:

Enhanced risk assessment;

Diversion of non-violent offenders into community-based programs;

Development of supervised, meaningful community services programs;

Case management and diversion that require acceptance of personal responsibility, sobriety, and continued employment.

At the same time, these new evidence-based practices can also help identify offenders who pose a serious risk of violence. This allows a critical focus on enhancing public and victim safety.

In Kentucky, a pilot project demonstrated a 15% reduction in pretrial violence while achieving a substantial reduction in the costs of local jails. The Kentucky study also demonstrated that improved risk assessment can be "highly accurate" at identifying that small group of defendants who are at an elevated risk of committing violence if they're released.

The national research demonstrates long-term benefits of risk assessment and better attention to suitability for pretrial release. Objective risk assessments also provide an additional means for assuring that neither a person's poverty nor their ethnicity lead to unnecessary pretrial incarceration.

And there is more emerging information:

The initial research indicates that pretrial incarceration of low-risk offenders creates a higher risk of later recidivism.

But the pretrial incarceration of high-risk offenders, those who may be violent, appears to actually *reduce* recidivism after conviction.

So, let me just put this bluntly, without better up-front assessments, pretrial detention may actually make less dangerous people more dangerous, and we may be missing the need to detain people who currently present a serious threat for violence.

The Maine Legislature has already mandated risk assessment for domestic violence charges. Applying similar tools to other charges could be equally effective.

Therefore, in collaboration, the Judicial, Executive, and Legislative Branches will bring together some of the best minds in Maine on issues of criminal justice. Justice Robert Mullen will

Chair the Task Force, bringing a wealth of experience in both trial courts and with the bail commissioners.

We will ask the Task Force to study the research that has been undertaken nationally, look at what's working and what is not working in Maine and in other states, and make proposals for improvement in time for consideration in the second regular session.

I am grateful for the support of Governor LePage, President Thibodeau, Speaker Eves, and Minority Leaders Senator Alford and Representative Fredette, and Attorney General Mills. They have each agreed to name members to serve on this Task Force.

We have also received the commitment of the prosecutors, of the Chiefs of Police, the Sheriffs' Association, Victims' Advocates, and the defense bar.

It is time for us to take on this challenge.

Working together, we could make real, lasting improvements for the State of Maine.

Finally, I remember a governor saying to me, "If you've said 'finally' five times, people will begin to throw things at you." So, please don't this is the last page. Finally, as I said when we began, we are beginning to turn the corner, but we have an enormous amount of work ahead of us.

Here are the things that you can do to make sure your constituents have safe, prompt access to justice when they need it:

First, support the Governor's budget that's proposed for the Judicial Branch. Safer courthouses are critical to our efforts, more judges are desperately needed, jurors should be appropriately compensated for their time and for the miles they drive to perform their civic duties. Second, visit the courthouses. Many of you have, I hope many of you will. Mary Ann Lynch will make arrangements for you to shadow a judge, to see a courthouse that serves your District, and to spend time watching justice in action. Talk with us about the High School Appellate Arguments. Last year, we had terrific experiences at the Presque Isle High School, at Mattanawcook, and in Yarmouth. This year, in October, we will sit in Hermon, at Senator Gratwick's invitation, at Mt. Blue in Farmington, at the invitation of the very patient Senator Saviello, and at Scarborough High School, at the invitation of Senator Volk. I hope that many of you will be able to join us for those arguments. Finally, keep working with us on innovations. While I will admit that the courts are not an institution that changes on a dime, we want to be responsive to the justice needs of your constituents. Please keep talking to us.

Thank you for your time and attention, and thank you for your support for Justice in the State of Maine.

The Chief Justice withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

The Senate then retired to its Chamber amid the applause of the House, the audience rising.

(After the Joint Convention)

The House was called to order by the Speaker.

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

Bill "An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service"

(S.P. 167) (L.D. 438)

Bill "An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation"

(S.P. 182) (L.D. 453)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Strengthen the Laws Prohibiting Stalking"

(S.P. 160) (L.D. 431)

Bill "An Act To Create a Secure, Therapeutic Mental Health Unit"

(S.P. 169) (L.D. 440)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Amend the Powers and Duties of the State Board of Education"

(S.P. 157) (L.D. 428)

Bill "An Act To Amend the Laws Governing Local Share of Education Costs" (EMERGENCY)

(S.P. 170) (L.D. 441)

Bill "An Act To Enact the Student Information Privacy Act"

(S.P. 183) (L.D. 454)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Assist Municipalities To Obtain Payment of Overdue Sewer Bills"

(S.P. 159) (L.D. 430)

Bill "An Act To Change the Name of the Public Utilities Commission's Consumer Assistance Division"

(S.P. 175) (L.D. 446)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Clarify Municipal Capacity for Site Location of Development and Encourage Local Development"

(S.P. 171) (L.D. 442)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act To Clarify the Liability of Funeral Practitioners"

(S.P. 162) (L.D. 433)

Bill "An Act To Require Providers of Short-term Lodging To Be Licensed by the State"

(S.P. 165) (L.D. 436)

Bill "An Act To Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program"

(S.P. 181) (L.D. 452)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act Regarding the Payment of Commissions by Car Rental Companies"

(S.P. 178) (L.D. 449)

Bill "An Act To Prohibit Deceptive Practices Regarding Unsolicited Loans"

(S.P. 184) (L.D. 455)

Came from the Senate, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act To Promote Equity in the Joint and Several Liability Law in Maine"

(S.P. 163) (L.D. 434)

Bill "An Act To Improve Disclosure Procedures"

(S.P. 180) (L.D. 451)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

Bill "An Act To Modify the Disbursement from the Maine Economic Improvement Fund"

(S.P. 158) (L.D. 429)

Bill "An Act To Help Stabilize Homeless Shelters in Maine"

(S.P. 172) (L.D. 443)

Bill "An Act Regarding the Sick Days of an Employee Who Is Terminated While on Sick Leave"

(S.P. 174) (L.D. 445)

Bill "An Act To Repeal Outdated Statutory Sections Relating to Regional Ride Share Programs"

(S.P. 176) (L.D. 447)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Extend the Protection of Municipal Shellfish Conservation Programs" (EMERGENCY)

(S.P. 164) (L.D. 435)

Came from the Senate, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act To Amend the Laws Regarding the Fund for the Efficient Delivery of Local and Regional Services"

(S.P. 179) (L.D. 450)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion of Representative McCABE of Skowhegan, **TABLED** pending **REFERENCE** in concurrence and later today assigned.

Bill "An Act To Exempt Fuel Purchased for Off-road Use in Commercial Construction and Wood Harvesting Equipment from Sales and Use Tax"

(S.P. 161) (L.D. 432)

Bill "An Act To Allow a Motor Vehicle Excise Tax Credit for a Vehicle No Longer in Use"

(S.P. 173) (L.D. 444)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act To Ensure the Responsibility of the Department of Transportation for a Portion of U.S. Route 1 in York and for the U.S. Route 1 Bypass in Kittery"

(S.P. 166) (L.D. 437)

Bill "An Act To Prohibit Excessive Idling of Passenger Trains"

(S.P. 168) (L.D. 439)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Cooper, who wishes to address the House on the record.

Representative **COOPER**: Thank you, Mr. Speaker and Men and Women of the House. In reference to Roll Call Number 2 on LD 138, had I been present, I would have voted Yay. In reference to Roll Call Number 3 on LD 138, had I been present I would have voted Yay. Thank you.

The following Joint Resolution: (S.P. 189)

JOINT RESOLUTION

RECOGNIZING THE UNIVERSITY OF MAINE

WHEREAS, the University of Maine, now celebrating the 150th anniversary of its founding, was established in 1865 as the Maine College of Agriculture and the Mechanic Arts under the provisions of the Morrill Act of 1862, and opened on September 21, 1868 with 12 students and 2 faculty members; and

WHEREAS, in 1897 the original name of the land-grant school was changed to the University of Maine, and through the years the curricula expanded with the establishment of the School of Education in 1930 and the School of Business Administration in 1958 and the conferring of the first master's degree in 1881 and the first doctorate in 1960; and

WHEREAS, in 1980 the Federal Government designated the University of Maine as a Sea Grant college under a program conducted with the University of New Hampshire, and in 2004 the University of Maine received that designation for its own program; and

WHEREAS, the University of Maine has a statewide mission of teaching, research and public service as well as educating the leaders of the future, helping to drive Maine's economic development, conducting internationally recognized research and providing outreach to every county in the State; and

WHEREAS, for 150 years, the University of Maine has had a major leadership role in the State, serving as an educational and cultural center in Maine, with a world-class faculty and with more than 105,000 alumni around the world; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-seventh Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the University of Maine Day at the State House and to send our congratulations to the University of Maine community on its 150th anniversary and on the University of Maine's service and contributions to the State of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the University of Maine on behalf of the grateful citizens of the State.

Came from the Senate, **READ** and **ADOPTED**.

READ.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Kornfield.

Representative **KORNFIELD**: As you've just heard, this is the 150th anniversary of our flagship institution The University of Maine. We are very proud of the three part mission of teaching, research, and public service. As Maine's research university, it partners with businesses throughout the state. The Extension Service, which is part of the Land Grant Mission is a large economic driver working on research to keep the potato, blueberry, lobster, lumbering, fishing industries healthy, and that's just to name a few. We congratulate them on their 150th Anniversary, and they certainly are a source of pride for the whole state. Thank you.

Subsequently, the Joint Resolution was **ADOPTED** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative SAUCIER of Presque Isle, the House adjourned at 12:01 p.m., until 10:00 a.m., Thursday, February 26, 2015, in honor and lasting tribute to Roy J. Trombley, a native of Presque Isle.